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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,742	03/05/2002	Hidekiyo Takaoka	M1071-1711	7012

7590 10/19/2004

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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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101804

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**Commissioner for Patents**

The Appeal Brief filed August 2, 2004 is defective for failure to comply with one or more provisions of 37 CFR § 1.192(c). See 1173 O.G. 36, April 11, 1995 and MPEP § 1206.

The brief does not contain a concise explanation of the invention defined in the claims involved in the appeal, which refers to the specification by page and line number, and to the drawing, if any, by reference characters as required by 37 CFR 1.192(c)(5).

The brief includes a statement that claims do not stand or fall together, but fails to present reasons in support thereof as required under 37 CFR 1.192(c)(7). MPEP § 1206. As is stated in the MPEP § 1206, 37 C.F.R. § 1.192 (c-7) "Merely pointing out differences in what the claims cover is not an argument as to why the claims are separately patentable."

An explicit reason or support for each of the claims, why the claims are separately patentable, cannot be found in the brief.

Appellant is required to comply with provisions of 37 C.F.R. § 1.192(c). **APPLICANT IS GIVEN A TIME LIMIT OF ONE MONTH FROM THE DATE OF THIS LETTER OR ANY TIME REMAINING IN THE PERIOD UNDER 37 CFR 1.192(a) FOR FILING A NEW COMPLETE BRIEF.** If a new brief that fully complies with 37 CFR 1.192(c) is not timely submitted, the appeal will be dismissed as of the date of expiration of the period provided by 37 CFR 1.192(a). No extension of this one month time limit may be obtained under either 37 CFR 1.136(a) or (b) but the original two-month period under 37 CFR 1.192(a) for filing the brief may be extended under 37 CFR 1.136(a) up to six months from the date of the Notice of Appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Ip whose telephone number is (571) 272-1241. The facsimile phone number is (703) 872-9306.

SIKYIN IP  
PRIMARY EXAMINER  
ART UNIT 1742

S. Ip  
October 18, 2004